

AGENDA MEMO

CITY COUNCIL MEETING OF: AUGUST 5, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-34604 - APPLICANT/OWNER: THE LAKES LUTHERAN CHURCH

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Senior Citizen Apartments use.
2. Approval of and conformance to the Conditions of Approval for Special Use Permits (SUP-34606 and SUP-34608), Variance (VAR-34605) and Site Development Plan Reviews (SDR-1968 and SDR-34602), if approved.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Sign and record a deed restriction with language determined to be satisfactory by the City Attorney which restricts the use of the site to an age-restricted community for those persons 55 years of age or older, to the full extent of the law.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site contains an existing 13,808 square-foot Church/House of Worship, associated parking, and approximately 55,000 square feet of undeveloped area on a 3.88-acre lot located at 8200 West Sahara Avenue. The applicant is proposing to construct a four-story, 49.5-foot high building which will contain 41 Senior Citizen Apartments, in addition to a 22-bed Convalescent Care Facility/Nursing Home and 33 Assisted Living Apartments, which will be operated in conjunction with the existing Church/House of Worship and a proposed Child Care Center. This request will facilitate the Senior Citizen Apartments, which is a permissible use within the proposed C-1 (Limited Commercial) zoning district upon the approval of a Special Use Permit. If the application is denied the subject property will remain a Church/House of Worship and cannot be utilized for Senior Citizen Apartments.

Issues

- The proposed Senior Citizen Apartments meets all the Title 19.04 Minimum Special Use Permit Requirements.
- Staff finds that the proposed location for the Senior Citizen Apartments will act as an appropriate buffer between Sahara Avenue and the existing single-family residences to the north of the subject site.
- Approval of associated requests for a General Plan Amendment (GPA-34600) and Rezoning (ZON-34601) is required to allow the proposed Senior Citizen Apartment use at the subject site.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/07/93	The City Council approved a request for a Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request.
01/14/94	A deed was recorded for change of ownership.
01/04/95	The City Council approved a request for an Extension of Time [Z-0043-93(1)] of an approved Rezoning and Plot Plan and Elevation Review (Z-0043-93) from N-U (Non-Urban) to C-V (Civic) for a proposed Church/House of Worship located at the northwest corner of Sahara Avenue and Cimarron Road. The Planning Commission and staff recommended approval of this request.

04/23/03	The Planning Commission approved a request for a Site Development Plan Review (SDR-1968) for a 4,840 square-foot addition to an existing Church/House of Worship on 3.88 acres at 8200 West Sahara Avenue. Staff recommended approval of this request.
07/09/09	<p>The Planning Commission recommended approval of companion items GPA-34600, ZON-34601, VAR-34605, SUP-34606, SUP-34608 and SDR-34602 concurrently with this application.</p> <p>The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #25/dc).</p>
<i>Related Building Permits/Business Licenses</i>	
04/17/95	Building permits were issued for onsite improvements (#95373763) and a new building (#95373764) at 8200 West Sahara Avenue. The permits were finalized under building permit (#97007415) on 05/27/97.
12/01/95	A building permit (#95883523) was issued for a sign at 8200 West Sahara Avenue. The permit expired 09/21/96 without receiving final approval.
11/22/95	A building permit (#95882928) was issued for a 50-foot long, six-foot high block wall and a 275-foot long, two-foot high retaining wall. The permit expired 09/21/96 without receiving final approval.
04/19/04	A building permit (#04009010) was issued for a 5,280 square-foot addition at 8200 West Sahara Avenue. The permit received final approval 08/24/04.
<i>Pre-Application Meeting</i>	
05/14/09	<p>A Pre-Application meeting was held with the applicant where the following issues were discussed:</p> <ul style="list-style-type: none"> • The requested change in zoning opens up the entire site to review for compliance with Title 19.08 requirements. • Residential Adjacency issues with the single-family property to the north. • Discussion of all uses proposed at the site, including the expansion of the existing Church/House of Worship use, Daycare Facility, Senior Citizen Apartments, Convalescent Care Facility/Nursing Home and Assisted Living Apartments. • Parking requirements for the uses proposed. • Adherence to the submittal requirements and plans required for a General Plan Amendment, Rezoning, three Special Use Permit applications, a parking Variance and a Site Development Plan Review.
<i>Neighborhood Meeting</i>	
06/08/09	<p>A neighborhood meeting was held at 6:00pm at The Lakes Lutheran Church, Conference Room, located at 8200 W. Sahara Ave. Las Vegas, Nevada 89117. There were three representatives of the applicant, five representatives of the church, one member of the Planning and Development staff and two members of the general public present.</p> <ul style="list-style-type: none"> • A discussion was held where the general public raised questions about the proposed development.

Field Check	
06/04/09	<p>A field check was conducted by staff at the subject property where the following was observed:</p> <ul style="list-style-type: none"> • The subject site contains an existing 13,808 square-foot Church/House of Worship. • An existing parking lot surrounds the west and north sides of the existing building, and extends along the east perimeter of the site to O'Bannon Drive. • The northeastern half of the subject property is undeveloped, relatively flat, and contains no landscaping.

Details of Application Request	
Site Area	
Gross Acres	3.88

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church/House of Worship	SC (Service Commercial) and R (Rural Density Residential) [Proposed: SC (Service Commercial)]	C-V (Civic) [Proposed: C-1 (Limited Commercial)]
North	Single-Family Residences	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development – 2 Units per Acre)
South	Restaurant	CN (Commercial Neighborhood) – Clark County	C-1 (Local Business) – Clark County
East	Office and Retail	SC (Service Commercial)	C-1 (Limited Commercial) and O (Office)
West	Office	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Church/ House of Worship	490 Fixed Seats	1 / 4 fixed seats, or 1 space / 100 SF of non-fixed seating in the gathering room	123				
Child Care Center	6 Staff; 50 Children	1 / Staff Member, plus 1 / 10 Children	11				
Convalescent Care Facility/ Nursing Home	22 Beds; 22 Employees	1 / 6 Beds, plus 1 / Each Employee on the largest shift; plus 3 spaces for use by Medical Professionals	29				
Assisted Living Apartments	33 Residents	1 / 3 Residents	11				
Senior Citizen Apartments	41 Units	.75 / Unit	31				
SubTotal			195	7	152	8	
TOTAL			205		160		N*
Percent Deviation					22%		

* The applicant has submitted an associated Variance (VAR-34605).

ANALYSIS

This request is for a Special Use Permit for 41 Senior Citizen Apartments in conjunction with a 22-bed Convalescent Care Facility/Nursing Home and 33 Assisted Living Apartments located at 8200 West Sahara Avenue. The subject site contains an existing Church/House of Worship, which will remain on the subject property if this request is approved. The proposed Senior Citizen Apartments will be housed within the second through fourth floors of a proposed four-story, 49.5-foot high building, while the first floor will contain supporting commercial uses. The 41 units will range in size between 600 and 1,222 square feet, and offered in one bedroom, one bedroom plus den, and two bedroom options.

The location of Senior Citizen Apartments at the subject property will serve as an appropriate buffer between Sahara Avenue to the south and existing single-family residences to the north. The scale and massing of the building has been appropriately scaled to break the massing of the building, and the proposed use meets Title 19.08.060 Residential Adjacency Standards. Staff finds that the subject location is appropriate for Senior Citizen Apartments; therefore, approval of this request is recommended.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed Senior Citizen Apartments can be conducted in a manner that is harmonious and compatible with existing surrounding land uses and with future surrounding land uses. The proposed use will act as an appropriate buffer between Sahara Avenue to the south and existing single-family residences to the north.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The subject site is physically suitable for the type and intensity of land use proposed.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Access to the site is provided by Sahara Avenue, a 100-foot Primary Arterial and Cimarron Road, an 80-foot Secondary Collector, as designated by the Master Plan of Streets and Highways. In addition, emergency access is provided via a crash gate fronting Via Olivero Avenue, a 60-foot Local Street, according to the Master Plan of Streets and Highways. All three roadways are adequate in size to meet the requirements of the proposed use.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The site will be subject to permitting, inspections and licensing by the City of Las Vegas, and will not compromise the health, safety, and welfare, or the overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

The proposed Senior Citizen Apartments use is consistent with the requirements of LVMC Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 253 by City Clerk

APPROVALS 1

PROTESTS 0